

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA

DEFENDANT'S AFFIDAVIT

-against-

17-CR-350 (KBF)

EMIL SOSUNOV,

Defendant.

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State of New York)	
)	ss:
County of Kings)	

EMIL SOSUNOV, being duly sworn, deposes and says:

1. I am the defendant in the above-captioned case.
2. I make this affidavit in support of my motion to suppress: (1) the fruits of my unlawful arrest; (2) suppression of items seized pursuant to a search warrant for my apartment; (3) suppression of GPS location data, both historical and real-time seized from my cellular phone.

3. I have standing to challenge: (1) my unlawful arrest in that it was made without probable cause and in violation of my privacy rights; (2) the search of my apartment; (3) the seizure and search of my historical and real-time GPS location data from my cellular phone.

4. On October 27, 2017, FBI Agents arrested me pursuant to a Complaint/Arrest warrant. The Agents knocked on the door, I asked who is it, the agents said FBI, I opened the door, the Agents grabbed me, put me up against the wall outside of my apartment and put handcuffs on me. They then proceeded inside of my apartment without permission or authorization.

5. While the Agents were in my apartment unlawfully, they picked up, looked at and manipulated paperwork and other items.

6. Specifically, there was a stack of several envelopes on the windowsill next to the balcony door. The envelopes were stacked one on top of the other and the venetian blinds obscured the ability to see writing on any of the envelopes.

7. I observed the agents pick up the envelopes and look through them. The Agent then scattered them around on the table and left them like that.

WHEREFORE, I respectfully move this Court to suppress all evidence derived from my arrest and subsequent searches and seizures conducted as a result of the Government's unlawful conduct, and for the Court to grant such other and further relief as the Court deems just and proper.



EMIL SOSUNOV

Sworn to before me this
2 day of March, 2018



NOTARY PUBLIC

TONY MIRVIS
Notary Public, State of New York
No. 02MI6125600
Qualified in Kings County
Commission Expires April 18, 2021